

10/784,344

GP-303800/GM0431PUSP

REMARKS

This paper is intended to be fully responsive to the office action mailed August 22, 2005.

In this action, the Examiner has rejected claims 1, 2, 6, 10, 12, 14, 15 and 18 under 35 U.S.C. §103(a) as unpatentable over Frost in view of Baxter, Jr. The Examiner states that "Frost discloses a drive train for a vehicle having front and rear axles (via 26 and 32), a transfer case (60) including first (82), second (84), and third (86) **input clutches** connected to first (64), second (62 or 68) and third (66) members of the planetary gear set ..." (emphasis added) However, the clutches 82, 84, 86 of Frost are clearly not "input clutches" they are not connected to the input shaft 24. Rather, they are range clutches, as described in column 3, line 66 through column 5, line 29 of Frost. These range clutches merely interconnect various internal elements of the transfer case 22 of Frost, and they do not connect to the input shaft 24 of Frost. In fact, the input shaft 24 of Frost is directly connected to the carrier assembly 62, so the Frost design does not include any "input clutches" as recited in each of the independent claims of the present Application. Therefore, the combination of references falls short of the claimed invention.

The Examiner also states that Baxter, Jr. discloses a transfer case "wherein at least one of the chains (via 84, 90) is connected with a member (38 via 40) of the planetary gear set ...". However, neither of the chains 88, 94 of Baxter, Jr. are "connected with a member of said planetary gear set", as required by the claims of the present Application. Rather, these chains are alternatively, selectively connectable with the sleeve 40, which is connected with the carrier 38. Therefore, the chains 88, 94 are not "connected" with a member of the planetary gear set, as required by the present claims, but are rather "selectively connectable" with the carrier 38.

For these and other reasons, it is respectfully submitted that claims 1, 2, 6, 10, 12, 14, 15 and 18 are improperly rejected. Applicant notes that the combination of references seems improper because the references are not operatively combinable, and proper motivation for the combination has not been provided. However, as explained above, the combination of references falls short of the claimed invention, so there is no need to further pursue the propriety of the combination. Therefore, all claims are believed to be allowable. Applicant notes with appreciation the indication of allowance of claim 21.

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Respectfully submitted,

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